

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:

JERVOIS TEXAS, LLC, *et al.*¹

Debtors.

Chapter 11

Case No. 25-90002 (CML)

(Joint Administration Requested)
(Emergency Hearing Requested)

AGENDA FOR FIRST DAY HEARING ON
January 29, 2025 AT 3:00 p.m. (PREVAILING CENTRAL TIME)

Emergency relief has been requested. Relief is requested not later than 3:00 p.m. (prevailing Central Time) on January 29, 2025.

If you object to the relief requested or you believe that emergency consideration is not warranted, you must appear at the hearing if one is set or file a written response prior to the date that relief is requested in the preceding paragraph. Otherwise, the Court may treat the pleading as unopposed and grant the relief requested.

A hearing will be conducted on this matter on January 29, 2025 at 3:00 p.m. (prevailing Central Time) in Courtroom 401, 4th floor, 515 Rusk, Houston, TX 77002.

Participation at the hearing will only be permitted by an audio and video connection.

Audio communication will be by use of the Court's dial-in facility. You may access the facility at 832-917-1510. Once connected, you will be asked to enter the conference room number. Judge Lopez's conference room number is 590153. Video communication will be by use of the GoToMeeting platform. Connect via the free GoToMeeting application or click the link on Judge Lopez's home page. The meeting code is "JudgeLopez." Click the settings icon in the upper right corner and enter your name under the personal information setting.

Hearing appearances must be made electronically in advance of both electronic and in-person hearings. To make your appearance, click the "Electronic Appearance" link on Judge Lopez's home page. Select the case name, complete the required fields and click "Submit" to complete your appearance.

¹ The Debtors in these chapter 11 cases, together with the last four digits of the Debtors' federal tax identification number, are: Jervois Global Limited (N/A), Jervois Suomi Holding Oy (N/A), Jervois Finland Oy (N/A), Jervois Americas LLC (8097), Jervois Japan Inc. (N/A), Formation Holdings US, Inc. (0103), Jervois Mining USA Limited (1323), and Jervois Texas, LLC (9514). The Debtors' service address is Suite 2.03, 1-11 Gordon Street, Cremorne Melbourne, VIC 3121 Australia.

Jervois Texas, LLC and its debtor affiliates, as debtors and debtors in possession (collectively, the “Debtors”) in the above-captioned chapter 11 cases, hereby file their agenda for matters set for hearing on **January 29, 2025 at 3:00 p.m. (prevailing Central Time)**.

I. Evidentiary Support for First Day Pleadings

- A. ***First Day Declaration.*** Declaration of Brian Martin in Support of the Debtors’ Chapter 11 Petitions and First Day Pleadings [Docket No. 17].
- B. ***Steinberg DIP Declaration.*** Declaration of Adam Steinberg in Support of Debtors’ Emergency Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Obtain Postpetition Financing, (B) Authorizing the Debtors to Use Cash Collateral, (C) Granting Adequate Protection to the Prepetition Secured Parties, (D) Modifying the Automatic Stay, (E) Scheduling a Final Hearing, and (F) Granting Related Relief [Docket No. 20].

II. First Day Pleadings

- A. ***Joint Administration Motion.*** Debtors’ Emergency Motion for Entry of an Order (I) Directing Joint Administration of the Debtors’ Chapter 11 Cases and (II) Granting Related Relief] [Docket No. 2].

Status: This matter is going forward.

- B. ***Request for Emergency Consideration.*** Debtors’ Request for Emergency Consideration of Certain “First Day” Matters [Docket No. 21].

Status: This matter is going forward.

- C. ***Notice of Designation as Complex Case.*** Notice of Designation as Complex Chapter 11 Bankruptcy Case [Docket No. 3].

Status: This matter is going forward.

- D. ***Solicitation Procedures Motion.*** Debtors’ Emergency Motion for Entry of an Order (I) Conditionally Approving the Disclosure Statement; (II) Scheduling a Combined Disclosure Statement Final Approval and Plan Confirmation Hearing and Setting Related Deadlines; (III) Approving (A) The Solicitation Procedures and (B) The Confirmation Hearing Notice; (IV) Extending the Time by Which the U.S. Trustee Convenes a Meeting of Creditors and the Debtors File Schedules, SOFAS and 2015.3 Reports; (V) Establishing Procedures for the Assumption and Rejection of Executory Contracts and Unexpired Leases; and (VI) Granting Related Relief [Docket No. 18].

Status: This matter is going forward.

E. ***Claims Agent Retention Application.*** Emergency Ex Parte Application for Entry of an Order Authorizing the Employment and Retention of Stretto, Inc. as Claims, Noticing, and Solicitation Agent [Docket No. 4].

Status: This matter is going forward.

F. ***Worldwide Stay Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Restating and Enforcing the Worldwide Automatic Stay, Anti-Discrimination Provisions; and *Ipsa Facto* Protections of the Bankruptcy Code; (II) Approving the Form and Manner of Notice; and (III) Granting Related Relief] [Docket No. 5].

Status: This matter is going forward.

G. ***NOL Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Approving Notification and Hearing Procedures for Certain Transfers of and Declaration of Worthlessness with Respect to Common Stock and (II) Granting Related Relief [Docket No. 12].

Status: This matter is going forward.

H. ***Taxes Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Payment of Certain Taxes and Fees and (II) Granting Related Relief [Docket No. 8].

Status: This matter is going forward.

I. ***Utilities Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Approving Debtors' Proposed Form of Adequate Assurance of Payment to Utility Companies, (II) Establishing Procedures for Resolving (A) Objections by Utility Companies and (B) Requests for Additional Adequate Assurances of Payment; (III) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Service; and (IV) Granting Related Relief [Docket No. 6].

Status: This matter is going forward.

J. ***Insurance Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to (A) Continue Their Prepetition Insurance Coverage and Satisfy Prepetition Obligations Related Thereto, (B) Renew, Amend, Supplement, Extend, or Purchase Insurance Policies, (C) Continue to Pay Brokerage Fees, and (D) Maintain the Surety Bond Program and Letters of Credit; and (II) Granting Related Relief [Docket No. 9].

Status: This matter is going forward.

K. ***Employee Wages Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, and Employee Benefits and (B) Continue the Postpetition Maintenance of Employee Benefit

Programs, Policies, and Procedures in the Ordinary Course, and (II) Granting Related Relief [Docket No. 14].

Status: This matter is going forward.

L. ***Cash Management Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System and Maintain Existing Bank Accounts, (B) Continue to Perform Intercompany Transactions, and (C) Maintain Existing Business Forms and Books and Records, and (II) Granting Related Relief [Docket No. 13].

Status: This matter is going forward.

M. ***Customer Programs Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to Maintain and Administer Their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto and (III) Granting Related Relief [Docket No. 11].

Status: This matter is going forward.

N. ***All Trade Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to Pay Accounts Payable Claims in the Ordinary Course of Business; (II) Granting Administrative Expense Priority to Undisputed Obligations on Account of Outstanding Orders and/or Provision of Services and Authorizing Payment of Such Obligations in the Ordinary Course of Business; and (III) Granting Related Relief [Docket No. 7].

Status: This matter is going forward.

O. ***Consolidated Creditor Matrix Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to (A) File a Consolidated Creditor Matrix, (B) File a Consolidated List of 30 Largest Unsecured Creditors, and (C) Redact Certain Personal Identifying Information and Sensitive Business Information; (II) Waiving the Requirement to File a List of Equity Security Holders and (III) Granting Related Relief [Docket No. 10].

Status: This matter is going forward.

P. ***DIP Motion:*** Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing Debtors (A) To Obtain Postpetition Financing and (B) Utilize Cash Collateral; (II) Granting Adequate Protection; and (III) Scheduling Final Hearing [Docket No. 19].

Status: This matter is going forward.

Houston, Texas
January 28, 2025

/s/ Duston K. McFaul

SIDLEY AUSTIN LLP

Duston K. McFaul (24003309)
1000 Louisiana Street, Suite 5900
Houston, Texas 77002
Telephone: (713) 495-4500
Facsimile: (713) 495-7799
Email: dmcfaul@sidley.com

Stephen E. Hessler (*pro hac vice* pending)
Anthony Grossi (*pro hac vice* pending)
Andrew Townsell (*pro hac vice* pending)
Weiru Fang (*pro hac vice* pending)
787 Seventh Avenue
New York, New York 10019
Telephone: (212) 839-5300
Facsimile: (212) 839-5599
Email: shessler@sidley.com
agrossi@sidley.com
andrew.townsell@sidley.com
weiru.fang@sidley.com

*Proposed Counsel to the Debtors and Debtors
in Possession*

Certificate of Service

I certify that on January 28, 2025, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Duston K. McFaul
Duston K. McFaul